

EXHIBIT A

Congress of the United States
Washington, DC 20515

September 2, 2021

Michael Carvajal, Director
Federal Bureau of Prisons
Department of Justice
320 1st Street, NW
Washington, DC 20534

Dear Director Carvajal:

As Members of Congress representing New York City, we are writing to inquire regarding the anticipated plans for federal detainees who will be transferred from the Metropolitan Correctional Center (MCC) in New York, NY in preparation for its closure. Over the years, our offices have raised profound concerns over the continued inability of federal facilities run by the Bureau of Prisons (BOP) in the City of New York to meet the needs of federal detainees at both MCC and the Metropolitan Detention Center (MDC) in Brooklyn, NY. While we recognize and applaud the Bureau's decision to close the MCC over safety and security conditions at the facility, the closure also brings challenges that must be considered, particularly as the nation continues to grapple with the on-going public health emergency generated by the coronavirus.

The future remains unclear for the current population that must still be relocated from MCC. It is our offices' understanding that, over the past several months, the Bureau already has moved the majority of pretrial detainees from MCC to the Brooklyn MDC. This substantial movement of detainees—without public notice—has taken a significant toll on staff, raised security concerns, and heightened the already urgent medical care crisis at MDC. We are worried that the MDC facility may be unable to cope with additional detainees absent changes in staffing and resources.

We understand from Local 2005 AFGE union leadership that they have made numerous complaints and had an emergency meeting with management at MDC Brooklyn on August 2. Union leaders have raised concerns over serious staff shortage problems and have made suggestions to management to no avail. Inmate transfers from MCC have reportedly been happening over the last three to four months yet staff is severely low due to Covid and emergency paid leave. This has reportedly created a situation where there are unmanned units of up to 120 detainees per unit during an entire shift. There have been reports of a floor with three units where there is only one staff on duty. This is an unacceptable safety hazard for inmates, staff and community. We understand that staff are told to work 16 hour shifts instead of 8 hour shifts five days a week adding to fatigue and underperformance. Of further concern is the reported shortage of medical staff.

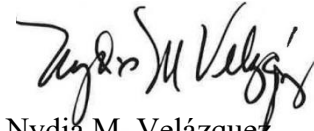
We emphasize that our concerns about and distrust regarding BOP's MDC are based on previous experiences stemming from mismanagement. MDC Brooklyn has a long, troubled history and previous incidents draw serious questions over the facility's ability to adequately manage the constitutional rights, health and safety of those in its care, including the death of detainees during the COVID-19 public health emergency and inadequate heat. Given the historical record of the facility, we request answers to the following questions to better assess the MDC Brooklyn's ability to appropriately care for its current and anticipated detainees:

1. Please provide the current ratio of correctional staff-to-detainees. How does this ratio compare to six months ago, prior to any substantial movement of detainees from MCC to MDC?
 - a. Moving forward, what changes should Members of Congress expect to the ratio, if as anticipated, all the pretrial detainees remaining at MCC are transferred to MDC?

- b. What ratio does the BOP determine to be safe for the total number of detainees as of this letter's writing? What ratio is required to ensure the safety of staff and detainees, and detainees' ability to have daily access to legal calls, discovery computers, the law library, and recreation time?
2. What benchmarks will the BOP employ to ensure that staffing consistently meets adequate safety and constitutional standards?
3. Does the BOP intend to transfer all detainees from MCC to MDC Brooklyn or other facilities (e.g., FCI Otisville)? What are the selection criteria for detainees being transferred to facilities other than MDC Brooklyn?
4. If the BOP decides to transfer detainees to other facilities not operated by the federal government (e.g., local detention centers with contracts), how will BOP make individual determinations and recommendations to such facilities.
5. Does the BOP intend to pursue alternative detention plans to reduce the detainee population at MDC Brooklyn?
6. What plans are in place for increasing medical staff commensurate with the increase in population of MDC Brooklyn to ensure adequate medical care?
7. What plans are in place for increasing correctional staff to ensure safety and security?
8. What plans are in place for increasing correctional staff to ensure that legal calls and videoconferences can proceed as needed?

We urge, consistent with applicable rules, law and regulations, that your agency limit the transfer of detainees to MDC Brooklyn while thoroughly examining the facility's capabilities to accept additional detainees. We continue to advocate for compassionate release to advance the safety and security of detainees, the staff, and the families on both sides that stand to be adversely impacted if MDC is inadequately equipped to accept the additional population from MCC.

Sincerely,



Nydia M. Velázquez
Member of Congress



Jerrold Nadler

Member of Congress



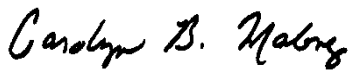
Charles E. Schumer

United States Senator

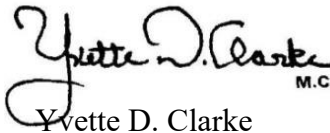


Kirsten E. Gillibrand

United States Senator



Carolyn B. Maloney
Member of Congress



Yvette D. Clarke

Member of Congress

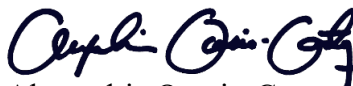


Gregory W. Meeks

Member of Congress

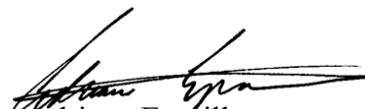


Grace Meng
Member of Congress



Alexandria Ocasio-Cortez

Member of Congress



Adriano Espaillat

Member of Congress



Jamaal Bowman
Member of Congress



Ritchie Torres

Member of Congress



Thomas R. Suozzi

Member of Congress

A handwritten signature in black ink, appearing to read 'Hakeem S. Jeffries', with a stylized flourish at the end.

Hakeem S. Jeffries
Member of Congress

cc: Nicole English, Regional Director, Federal Bureau of Prisons
Heriberto Tellez, Warden, Metropolitan Detention Center, Brooklyn
Felipe Martinez Jr., Warden, Metropolitan Detention Center, Brooklyn
Local 2005 AFGE President Rhonda Barnwell and Vice President Kymberlee Feliciano